

Message

---

**From:** LEE, LILY [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D6085A744F9347E6836C54C0E85B97B2-LLEE06]  
**Sent:** 4/2/2016 12:14:26 AM  
**To:** Reyes, Deldi [Reyes.Deldi@epa.gov]  
**Subject:** FW: Article on Hunters Point Radiation - NBC News  
**Attachments:** Hunters Pt NBC Response Hunters Pt Tetra Tech radiation 3-25-2016.docx

Lily Lee  
Cleanup Project Manager  
Superfund Division  
U.S. Environmental Protection Agency, Region 9  
75 Hawthorne St. (SFD-8-3)  
San Francisco, CA 94105  
Tel: 415-947-4187, Fax: 415-947-3518  
[www.epa.gov/region9/superfund](http://www.epa.gov/region9/superfund)

---

**From:** LEE, LILY  
**Sent:** Tuesday, March 29, 2016 1:28 PM  
**To:** Maier, Brent <Maier.Brent@epa.gov>  
**Subject:** FW: Article on Hunters Point Radiation - NBC News

Dear Brent,

I wanted to make sure you know about this in case you get any Congressional inquiry.

Lily Lee  
Cleanup Project Manager  
Superfund Division  
U.S. Environmental Protection Agency, Region 9  
75 Hawthorne St. (SFD-8-3)  
San Francisco, CA 94105  
Tel: 415-947-4187, Fax: 415-947-3518  
[www.epa.gov/region9/superfund](http://www.epa.gov/region9/superfund)

---

**From:** LEE, LILY  
**Sent:** Friday, March 11, 2016 2:51 PM  
**To:** Herrera, Angeles <[Herrera.Angeles@epa.gov](mailto:Herrera.Angeles@epa.gov)>; Yogi, David <[Yogi.David@epa.gov](mailto:Yogi.David@epa.gov)>; Manzanilla, Enrique <[Manzanilla.Enrique@epa.gov](mailto:Manzanilla.Enrique@epa.gov)>  
**Cc:** Chesnutt, John <[Chesnutt.John@epa.gov](mailto:Chesnutt.John@epa.gov)>; Parker, Heather <[Parker.Heather@epa.gov](mailto:Parker.Heather@epa.gov)>; Huitric, Michele <[huitric.michele@epa.gov](mailto:huitric.michele@epa.gov)>; Lane, Jackie <[Lane.Jackie@epa.gov](mailto:Lane.Jackie@epa.gov)>; Harris-Bishop, Rusty <[Harris-Bishop.Rusty@epa.gov](mailto:Harris-Bishop.Rusty@epa.gov)>  
**Subject:** Article on Hunters Point Radiation - NBC News

Since both John and Jackie are at Health & Safety training, in their absence, I'm forwarding this segment, which aired yesterday. A former worker for Tetra Tech, a Navy Contractor, claims that his supervisors did the following:

- Ordered him to replace potentially contaminated soil samples with clean soil samples.
- Instructed him to dump potentially contaminated soil into open trenches across Hunters Point.

- Forced him to sign falsified documents that were later submitted to the government.
- Tampered with computer data that analyzed radiation levels.

This article is related to issues raised in prior NBC coverage. The article states that the Navy and Tetra Tech both declined requests for interviews. It states that the CDPH requested retesting of Building 351A, one of the areas of concern, and confirmed the retesting showed no concerns. The article references the February NRC enforcement letter about the falsification of samples.

Attached are the desk statement about the NRC enforcement letter that Heather sent you 2/22 and Q&A's about this and other radiation issues that have arisen in the past. I will review the article more carefully, research background, and update the Q&A's accordingly.

<http://www.nbcbayarea.com/investigations/Former-Hunters-Point-Worker-Claims-Supervisors-Ordered-Him-to-Hide-Radiation-371723561.html>

## Former Hunters Point Worker Claims Supervisors Ordered Him to Hide Radiation

Anthony Smith reveals to the Investigative Unit how he says supervisors concealed radiation at Hunters Point by instructing him to switch soil samples and dump potentially contaminated dirt into the ground.

By Vicky Nguyen, Liz Wagner and Felipe Escamilla

Prime real estate or toxic mess? Hunters Point in San Francisco is one of the largest redevelopment projects in the Bay Area. The NBC Bay Area Investigative Unit first revealed Tetra Tech, the government contractor cleaning up the former Superfund site, admitted to mishandling soil samples and falsifying data. Now, a former worker explains how he claims it all happened. Senior Investigative Reporter Vicky Nguyen has the exclusive interview in a story that aired March 10, 2016. (Published Thursday, March 10, 2016)

When Anthony Smith walked away from Hunters Point four years ago, he carried a secret with him—a secret involving radiation, deception and a government contractor.

For the first time last November, the former radiation control technician revealed to the Investigative Unit the tactics he said his supervisors used to conceal radiation on Hunters Point. The 800-acre former Superfund site is slated for parks, shops and homes.

Smith said what he witnessed—and what he did—calls into question claims that Hunters Point has been properly cleaned up and does not pose a public health hazard. For decades on Hunters Point, the Navy operated a radiological defense laboratory and decontaminated ships exposed to nuclear weapons tests.



Photos: Cleaning Up Hunters Point Naval Shipyard

Pasadena-based company [Tetra Tech](#) won \$300 million in Navy contracts to oversee the cleanup of radiation. Smith said the company repeatedly cut corners to save money. In an interview with NBC Bay Area, Smith claimed Tetra Tech supervisors:

- Ordered him to replace potentially contaminated soil samples with clean soil samples.
- Instructed him to dump potentially contaminated soil into open trenches across Hunters Point.
- Forced him to sign falsified documents that were later submitted to the government.
- Tampered with computer data that analyzed radiation levels.

He said he decided to speak out “to clear my name, make everything right and let people know what really happened.”

Tetra Tech has ignored multiple interview requests to discuss claims made by Smith and concerns raised by the state health department and whistleblowers in a [series of NBC Bay Area investigations](#) dating back to 2014.

An onsite supervisor told the Investigative Unit that inquires about Tetra Tech must go through the Navy, but the Navy has also declined interview requests. A Navy spokesman said the agency hired another contractor to provide extra quality control at Hunters Point.

#### **Switching Soil Samples and Dumping Soil into Trenches**

Smith left his Georgia home in 2002 and worked on and off at Hunters Point as a radiation control technician until 2012. As part of his job, he collected soil samples. That soil was then surveyed to determine contamination levels.

Smith said beginning in 2009, his supervisors began instructing him to get rid of contaminated soil samples and replace them with clean soil samples. He said the switching of the soil samples often took place out of public view, inside large Conex bins located around the job site. He estimates hundreds of samples had been switched.

"I didn't like it because it wasn't right," Smith said. "That's not the way it was supposed to be done."

Smith believes multiple locations across Hunters Point may still be contaminated with radiation.

Hunters Point Worker Says Supervisors Instructed Him to Get Rid of Soil Contaminated with Radiation



Former radiation control technician Anthony Smith collected soil samples on Hunters Point, including underneath a building referred to as Building 351A. The building used to house the Naval Radiological Defense Laboratory. The soil underneath the building had been cleaned up, but Smith says he discovered a soil sample contaminated with radiation even after the building had been remediated. He says his supervisors told him to get rid of the contaminated soil sample and replace it with a clean soil sample from another location. He says it was faster and cheaper for his supervisors to say the soil was clean instead of contaminated. (Published Tuesday, March 8, 2016)

He said he collected soil samples underneath a structure referred to as building 351A, which once housed part of the Navy's radiological lab. He recalls a sample tested positive for radium, an element linked to bone cancer.

"When I took a sample it came back hot," he said, "and they made me get rid of it."

Smith said the building should have been remediated after he found a hot soil sample, but he questions whether crews subsequently cleaned up the contamination. He said remediating the area would have taken more time and money.

### • InvestigativeFormer Contractors Claim Hunters Point Cleanup is Botched

The California Department of Public Health also questioned the cleanup of building 351A. In December the department ordered the structure to be retested. The state reported that "no contamination was found." Health officials confirmed Tetra Tech conducted the retesting.

Smith said his supervisors directed him to dump the discarded, potentially contaminated soil into trenches that have since been covered or paved. Smith said there is no way to know what the contamination levels are in the trenches without retesting the soil. He said as far as he can tell, Tetra Tech did not test the trenches after they were backfilled.

#### **Falsified Documents and Data**

Smith also said Tetra Tech fabricated documents called Chain of Custody forms, which are supposed to document where and when Smith took soil samples and certify that the samples stayed under his control. He said sometimes his bosses would fill out the forms instead.

"I never got to see them until the end of the day when all I done was sign my name and put the date," Smith said.

#### Tetra Tech Chain of Custody Form

Tetra Tech SC, INC. 1300 Columbia St, Suite 100 San Diego, CA 92101		Chain of Custody Record		BFS 02		Page 1 of 1					
Project Name Radiological Building Survey		PD Number 705		Location ONRITE - Clark & Thompson, LTD.		Project Information Section					
Project Location HUNTERS POINT		Project Number [REDACTED]		Location [REDACTED]		[REDACTED]					
Sample Type [REDACTED]		Asset Number [REDACTED]		[REDACTED]		[REDACTED]					
Project Contact [REDACTED]		Project Contact Phone [REDACTED]		[REDACTED]		[REDACTED]					
SAMPLE ID	DATE	TIME	LOCATION	LEVEL	TYPE	1	2	3	COMMENTS	LOCATION	SAMPLE ID
[REDACTED]	20100902	1230	1		S	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			[REDACTED]
[REDACTED]	20100902	1225	1		S	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			[REDACTED]
[REDACTED]	20100902	1230	1		S	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			[REDACTED]
[REDACTED]	20100902	1230	1		S	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			[REDACTED]
[REDACTED]	20100902	1230	1		S	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			[REDACTED]
[REDACTED]	20100902	1230	1		S	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			[REDACTED]
[REDACTED]	20100902	1230	1		S	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			[REDACTED]
[REDACTED]	20100902	1230	1		S	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			[REDACTED]

Anthony Smith says his supervisors fabricated documents called Chain of Custody Forms. The forms are supposed to document where and when Smith collected soil samples and certify that the samples stayed under his control. But Smith says sometimes his supervisors filled out the forms and that he couldn't verify the information contained in the documents. He says sometimes he didn't see the forms until the end of the day, when he was asked to sign his name.

He said he also watched Tetra Tech supervisors change computer data that detailed radiation readings, a practice he considers to be fraud. Smith said if his bosses thought a radiation level was too high, they would knock it down to a lower level.

Smith said he repeatedly raised concerns to Tetra Tech but that the response was always the same—he could go home if he didn't like the company's tactics. Smith said he needed the job so he stuck it out.

#### • Investigative Workers Say Hunters Point Dirt Needs Radiation Screening

"I really didn't have nowhere else to go work if I didn't stay here," Smith said. "I tell you one thing, when I came out here I was healthy and when I left I had high blood pressure. Very high. That's how much it ate at me."

#### Internal Tetra Tech Report

Smith's contract expired in 2012. He put Hunters Point behind him until the Investigative Unit contacted him about an internal Tetra Tech report produced in April 2014. In it, the company admitted to the "mishandling of soil samples" and submitting "falsified data" to the Navy.

Tetra Tech came up with multiple theories, but could not definitively conclude how or why soil samples were switched and data was falsified. In the report, the company blamed the "sample collectors on the chain of custody forms" including Smith. He believes the company made him its scapegoat.

#### • Investigative Contractor Submitted False Radiation Data at Hunters Point

"They were blaming me for something [they] were telling me to do every day," Smith said.

According to Tetra Tech's report, the company disciplined two supervisors, conducted ethical training and resurveyed and remediated the areas identified in the report. In February, the Nuclear Regulatory Commission found Tetra Tech may have violated an NRC requirement and is now considering enforcement action.

- **InvestigativeRegulators Question Hunters Point Radiation Testing**

Smith believes the company failed to identify and retest other questionable locations on the site. He worries the health of people who will work, play and live at Hunters Point may be at stake. He said the cleanup can't be trusted.

"It's not good and it's not right," Smith said. "Sure ain't."

*If you have a tip for the Investigative Unit email [theunit@nbcbayarea.com](mailto:theunit@nbcbayarea.com) or call 888-996-TIPS.*

Published at 11:01 PM PST on Mar 10, 2016